

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company for Approval of 2013-2014 Energy Efficiency Programs and Budget (U39M).

Application 12-07-001
(Filed on July 2, 2012)

And Related Matters.

Application 12-07-002
Application 12-07-003
Application 12-07-004

DECISION AWARDING COMPENSATION TO ENVIRONMENTAL HEALTH COALITION FOR SUBSTANTIAL CONTRIBUTION TO DECISION 12-11-015

Claimant: Environmental Health Coalition (EHC)	For contribution to Decision (D.) 12-11-015
Claimed (\$): 31,701	Awarded (\$): 31,701
Assigned Commissioner: Mark J. Ferron	Assigned ALJ: Julie A. Fitch. These proceedings were re-assigned to ALJ Melanie Darling on January 16, 2013 (after the filing of this claim).

PART I: PROCEDURAL ISSUES**A. Brief Description of Decision:**

This decision approves a portfolio of energy efficiency (EE) programs and budgets to be implemented in 2013 and 2014 by Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), Southern California Gas Company (SCG), and Southern California Edison Company (SCE), (collectively, the utilities), as well as two regional energy networks (RENs) (San Francisco Bay Area Regional Energy Network and Southern California Regional Energy Network) and one community choice aggregator (CCA) (Marin Energy Authority (MEA)).

Regarding budgets, the utilities are required to lower planned expenditures in their budgets that fall outside of the categories for incentives without reducing energy savings targets or average program levels available to customers.

Regarding workforce, the utilities are directed to develop a comprehensive strategy, in line with Strategic Plan goals,

PROPOSED DECISION

for addressing stakeholder concerns with respect to workforce, education, and training, while tracking certain workforce data.

With respect to EE upgrade programs, the utilities are authorized to continue the whole house EUC program and must use the high participation goal. In addition, they are authorized to hire a consultant to design additional market transformation aspects of the EUC program, involving a stakeholder process to revise the Basic Path and merge it with the Flex Path already piloted by the SoCalREN for areas not being served by a REN.

Implementers of the multifamily (MF) EUC pilots must participate in a mid-cycle workshop to report on lessons learned.

In addition, the utilities are ordered to double their target number of homes and budgets for the Middle Income Direct Install program, and include homeowners in MF buildings.

The proposed third-party solicitation process is approved, with at least one third-party solicitation targeted to the MUSH sector.

SDG&E's must add a layer of accountability to its Local Government Partnerships (LGP) by reporting the number of installations of energy efficiency (EE) measures caused by LGP activity. The Decision acknowledges the need to further investigate EHC's concerns over LGP effectiveness.

Regarding energy behavior change, the Decision reaffirms utilities must reach at least 5% of customers and work with EHC and stakeholders to expand and improve behavior programs.

With respect to marketing and outreach, utilities *except* for SDG&E must spend 25% more marketing dollars on hotter climate zones, recognizing the importance of other factors such as building age. All utilities may subsidize full-scale energy audits and ratings when followed by at least three EE measures.

Regarding financing, On-bill Financing programs and continuation of financing pilots that were launched with federal stimulus funding are continued, with funding for new pilot programs set aside for further decision-making.

Finally, the decision provides additional information regarding requirements and responsibilities applicable to RENs and CCAs.

B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code §§ 1801-1812:

	Claimant	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	August 16, 2012	Correct.
2. Other Specified Date for NOI:	N/A	Correct.
3. Date NOI Filed:	September 17, 2012	Correct.
4. Was the NOI timely filed?		
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	Application (A.) 12-07-001 et. al.	Correct.
6. Date of ALJ ruling:	January 4, 2013	Correct.
7. Based on another CPUC determination (specify):		
8. Has the Claimant demonstrated customer or customer-related status?		
Showing of “significant financial hardship” (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	A.12-07-001 et. al.	Correct.
10. Date of ALJ ruling:	January 4, 2013	Correct.
11. Based on another CPUC determination (specify):		
12. Has the Claimant demonstrated significant financial hardship?		
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.12-11-015	Correct.
14. Date of Issuance of Final Order or Decision:	November 15, 2012	Correct.
15. File date of compensation request:	January 12, 2013	January 14, 2013
16. Was the request for compensation timely?		Yes.

PART II: SUBSTANTIAL CONTRIBUTION**A. Claimant’s description of its claimed contribution to the final decision.**

Contribution	Specific References to Claimant’s Presentations and to Decision	Showing Accepted by CPUC
1. (A) Equitable Access to Quality Green Education, Training, and Jobs by Lower-Income Communities EHC’s advocacy for workforce equity		Yes.

<p>contributed to three major workforce-related themes of the Decision:</p> <p>A1. EHC advocated for a stronger focus on connecting trained disadvantaged workers with good quality job opportunities in EE programs like MIDI, Commercial Direct Install (particularly in the MUSH sector), EUC, and Third-Party Programs like IDEEA365, by using contractor incentives and/or requirements for targeted hiring and using high-roads standards. Having played a key role in engineering targeted hiring goals for disadvantaged workers in SDG&E's MIDI pilot in the previous cycle, working closely with local community-based workforce training organizations, EHC was able to offer best practices from first-hand experience, as well as from research.</p> <p>The Decision:</p> <ul style="list-style-type: none"> ✓Agrees with EHC that WE&T “is an area in dire need of more focused attention.” ✓Finds that EE portfolios “have a large impact on workforce development issues.” ✓Concludes IOU WE&T efforts “fall short of our expectations and requirements.” ✓Orders IOUs to hire an expert to develop a comprehensive WE&T plan aligned with Strategic Plan goals, in consultation with stakeholders, focused on “offering disadvantaged workers employment opportunities upon completion of training.” ✓Concludes the expert’s plan should consider piloting in this cycle quality standards for EE projects accompanied by training, increased pay for performance, and links to job placement following training. ✓Concludes IDEEA365 should be approved and acknowledges EHC’s support for the program’s potential 	<p>EHC Response (8/3/12), at 10-14, 25; EHC Reply (8/14/12), at 7-8; EHC Comments (9/14/12), at 10-14, 23-24; EHC Reply (9/21/12), at 3-5; EHC Comments (10/29/12), at 6-7; EHC Reply (11/05/12), at 1-2</p> <p><i>D.12-11-015</i>, at 89 (EHC named)</p> <p><i>D.12-11-015</i>, Finding of Fact 42, at 116</p> <p><i>D.12-11-015</i>, Conclusion of Law 75, at 127</p> <p><i>D.12-11-015</i>, Order 34, at 138-139</p> <p><i>D.12-11-015</i>, at 90-91</p> <p><i>D.12-11-015</i>, Conclusion of Law 77, at 127-128</p> <p><i>D.12-11-015</i>, Conclusion of Law 68, at 126</p> <p><i>D.12-11-015</i>, at 81 (EHC named)</p>	
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<p>workforce opportunities.</p> <p>✓ Concludes IOUs should pilot diversity goals in the third-party contractor selection process, agreeing workforce diversity is a “worthy pursuit.”</p> <p>✓ Orders and Concludes IOUs to target the MUSH in a sector third-party solicitation and host a stakeholder forum mid-cycle.</p> <p>A2. EHC advocated for better coordination between WE&T Programs, WIBs, CBOs, schools, and employers to reach disadvantaged workers and students and ensure they receive the right kind of training. In addition, EHC actively worked in the San Diego region to connect and facilitate coordination between local community colleges and community-based workforce organizations serving disadvantaged communities, the local WIB, organized labor, EE contractors, EE program administrators, and SDG&E.</p> <p>The Decision:</p> <p>✓ Concludes the expert’s WE&T plan should coordinate with CBOs, educational institutions, business, and labor, to teach “disadvantaged communities the skills needed to meet [EE] program needs,” and “identify currently unemployed workers already equipped with the skills needed to meet [EE] program needs.”</p> <p>✓ Orders utilities to specify funding for training partnerships with community colleges and adult education, trade organizations, CBOs, and government agencies and “update their narrative descriptions of their partnerships.”</p> <p>A3. EHC promoted accountability through data collection on job placement outcomes, wages, benefits, and contractor and worker demographic and socioeconomic information.</p>	<p><i>D.12-11-015</i>, Conclusion of Law 70, at 126</p> <p><i>D.12-11-015</i>, at 84</p> <p><i>D.12-11-015</i>, Order 31, at 128; Conclusion of Law 69, at 126</p> <p>EHC Response (8/3/12), at 9-12; EHC Reply (8/13/12), at 8; EHC Comments (9/14/12), at 10-12, 14; EHC Comments (10/29/12), at 6</p> <p><i>D.12-11-015</i>, Conclusion of Law 77, at 127-128</p> <p><i>D.12-11-015</i>, Order 36, at 139</p> <p><i>D.12-11-015</i>, at 92</p> <p>EHC Reply (8/13/12), at 8-9; EHC Comments (9/14/12), at 11-12, 23; EHC Reply (9/21/12), at 3-4; EHC Comments (10/29/12), at 6; EHC Reply (11/05/12), at 1</p>	
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<p>The Decision:</p> <p>✓ Concludes and Orders IOUs to track data pertinent to WE&T funded by EE programs, utilizing protocols from Decision 12-08-044, and report to the Commission, in order to “assist us in evaluating new proposals for [EE] program workforce efforts.”</p>	<p><i>D.12-11-015</i>, Conclusion of Law 76, at 127; Order 35, at 139</p> <p><i>D.12-11-015</i>, at 91</p>	
<p>2. (B) Equitable Access to Benefits of EE by Lower-Income Communities</p> <p>EHC’s advocacy for increasing the accessibility of EE by lower- and middle-income families— reasoning that upgrading older, inefficient, unhealthy homes often occupied by low-middle income families results in great energy savings for the grid and cost savings & health benefits for the families— contributed to the three main components of the Decision. EHC was able to offer a unique perspective from our on-the-ground experience working with lower-moderate income families in the San Diego region to educate empower them to realize energy bill savings and health benefits of EE upgrade services and conservation programs, of which they were unaware.</p> <p>B1. EHC recommended greatly increasing the budget and target number of homes for SDG&E’s Middle Income Direct Install Program (MIDI), and make MIDI available for residents of multifamily (MF) buildings. EHC highlighted SDG&E’s target as miniscule compared to the potential, and explained many moderate-income homeowners with whom EHC works live in MF buildings or attached homes.</p> <p>The Decision:</p> <p>✓ Acknowledges “EHC raised a concern about the program targets being so low compared to the eligible participant population and the exclusion of multi-family units from the program. We <u>agree with EHC</u>.”</p>	<p>EHC Response (8/3/12), at 25; EHC Comments (9/14/12), at 14-15; EHC Comments (10/29/12), at 3-4</p> <p><i>D.12-11-015</i>, at 73</p>	<p>Yes.</p>

<p>✓ Finds MIDI “targets an underserved residential market where there is a large amount of energy savings potential.”</p> <p>✓ Concludes “additional utility resources should be devoted to the Middle Income Direct Install Program”.</p> <p>✓ Orders IOUs to “<u>double their target</u> number of participants for their Middle Income Direct Install programs and <u>ensure program eligibility</u> for customers residing in <u>multi-family buildings</u>.”</p> <p>B2. EHC advocated for increased access by lower-income renters in single-family and multi-family (MF) buildings; increased budget and reach of MF programs; and technical assistance for building owners.</p> <p>The Decision:</p> <p>✓ Concludes IOUs should provide additional information on MF pilot targets and budgets.</p> <p>✓ Concludes approval IOUs’ MFEER program, tells IOUs to provide outreach and assistance to building owners.</p> <p>✓ Orders utilities to convene a best practices workshop on MF pilots.</p> <p>✓ Concludes and Orders the MFEER program to go beyond lighting measures, ensure corporate level outreach, ensure training and certification for contractors, and offer technical assistance for building owners.</p> <p>B3. EHC recommended setting high participation goals for the whole house EUC program, and higher incentives based on need.</p> <p>✓ The Decision acknowledges, “EHC also supports the high participation scenario” and urges the IOUs to “meet</p>	<p><i>D.12-11-015</i>, Finding of Fact 34, 115</p> <p><i>D.12-11-015</i>, Conclusion of Law 61, at 125</p> <p><i>D.12-11-015</i>, Order 26, at 137</p> <p>EHC Response (8/3/12), at 23-24; “EHC Comments (9/14/12), at 15-16</p> <p><i>D.12-11-015</i>, Conclusion of Law 60, at 125; also at 73-74;</p> <p><i>D.12-11-015</i>, Conclusion of Law 29, at 120-121</p> <p><i>D.12-11-015</i>, Order 16, at 134</p> <p><i>D.12-11-015</i>, Conclusion of Law 62, at 125; Order 27, at 137</p> <p>EHC Comments (9/14/12), at 22-23; EHC Reply (9/21/12), at 7, 11-13; EHC Comments (10/29/12), at 3-5</p> <p><i>D.12-11-015</i>, at 70-71</p>	
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or exceed all of the targets in the high-participation scenarios.”		
<p>3. (C) Successful and Lasting Energy Conservation Behavior</p> <p>Two aspects of the Decision regarding behavior change were influenced by EHC’s promotion of prioritizing and expanding changing energy conservation behavior as indispensable for meeting CA’s GHG goals. As one of the only on-the-ground implementers of behavior change programs intervening in this proceeding, and the only one offering an alternative, deeper education model working with lower-income families, EHC was able to offer a unique perspective and recommend best practices from our own experience, as well as from research.</p> <p>C1. EHC recommended expanding behavior change program eligibility to all households (not just large energy-consuming SF homes), and reaching at least 5% of all customers.</p> <p>✓The Decision Finds the 5% target set in D.12-05-015 should be maintained and utilities are “encouraged” to go beyond these “minimum targets” in 2013-2014.”</p> <p>C2. EHC advocated for: holding behavior change programs accountable for actual and lasting energy savings integrating behavior change programs with EE programs like MIDI, EUC, and Commercial programs; and expanding the definition and reach of behavior change, and using EHC’s successful model of empowering trusted community leaders to provide deeper energy education to their peers.</p> <p>The Decision:</p> <p>✓Affirms the value of EHC’s recommendations and model, saying the Commission “encourage[s] the utilities to work with Opower, EHC, and other interested parties to initiate a process for expansion of the definition</p>	<p>EHC Response (8/3/12), at 19-20; EHC Comments (10/29/12), at 5</p> <p><i>D.12-11-015</i>, Finding of Fact 35, at 115</p> <p>EHC Response (8/3/12), at 19-23, 25; EHC Comments (9/14/12), at 8-10; EHC Reply re (9/21/12), at 7-9, EHC Comments (10/29/12), at 3, 5</p> <p><i>D.12-11-015</i>, at 76-77</p>	Yes.

<p>of behavioral programs as well as initiating additional program activities in this cycle. Nothing prohibits the utilities from going beyond this minimum level and definition. If there is consensus on additional types of activities in the behavioral area that would be beneficial, the utilities may initiate them as soon as possible.”</p> <p>✓ Finds “nothing prohibits utilities from initiating additional behavior activities in 2013-2014. They should be encouraged to do so.”</p>	<p><i>D.12-11-015</i>, Finding of Fact 35, at 115</p>	
<p>4. (D) Effective and Equitable Marketing and Outreach</p> <p>EHC contributed to two main aspects of the Decision related to marketing and outreach by consistently supporting the importance of expanded marketing and outreach to increase participation and the diversity of participants in EE and behavior programs.</p> <p>D1. EHC advocated for: effective strategies to reach disadvantaged communities, based on our experience working directly with these communities, as well as from research; and prioritizing funding using multiple criteria, including age of home and income-based need. EHC argued that climate is an important factor, but climate zones alone do not accurately capture savings potential or need for upgrades in the San Diego area.</p> <p>The Decision:</p> <p>✓ Finds “weather is an important consideration in deciding whether to direct program funding, along with other considerations such as energy use, age of buildings, etc.”</p> <p>✓ Concludes more marketing money and outreach effort should be devoted to hotter climate zones, but should not necessarily be limited to zones 9-16.</p> <p>✓ Orders only PG&E and SCE to direct</p>	<p>EHC Response (8/3/12), at 14-18; EHC Comments (9/14/12), at 16-20, 35-36; EHC Reply (9/21/12), at 5-6; EHC Comments (10/29/12), at 9-10; EHC Reply (11/5/12), at 2</p> <p><i>D.12-11-015</i>, Finding of Fact 33, at 115</p> <p><i>D.12-11-015</i>, Conclusion of Law 59, at 125</p> <p><i>D.12-11-015</i>, Order 25, at 136</p>	<p>Yes.</p>

<p>25% more marketing funds to climate zones 9-16, exempting SDG&E.</p> <p>D2. EHC supported subsidized (full or partial) energy audits and ratings for existing buildings as a tool to increase participation in EE upgrades and change behavior.</p> <p>The Decision:</p> <p>✓Agrees “whole house diagnostic audits are often a critical element of EUC residential retrofits. Therefore, we will allow utilities and the RENs to subsidize these full-scale whole house audits and diagnostic tests for EUC jobs if a retrofit follows that involves at least three energy efficiency measures.”</p> <p>✓Concludes and Orders that subsidies for full-scale whole-house audits in EUC may be available to customers who invest in upgrades with at least three EE measures. Less formal audit or assessment activities are exempt and may be fully subsidized.</p>	<p>EHC Response (8/3/12), at 27-29, 30; EHC Comments (9/14/12), at 5-8, 31-32, 34-35; EHC Reply (9/21/12), at 7-11; EHC Comments (10/29/12), at 7-8; EHC Reply (11/05/12), at 3</p> <p><i>D.12-11-015</i>, at 71-72</p> <p><i>D.12-11-015</i>, Conclusion of Law 22, at 120; Order 14, at 134</p>	
<p>5. (E) Effective Local Government Partnerships</p> <p>EHC argued that local governments should play a major role in engaging community buy-in and participation in EE and conservation, and that IOUs should better leverage their LGPs’ unique authority and influence.</p> <p>As one of the only parties located in SDG&E territory, EHC was able to offer a unique perspective on SDG&E’s LGPs-- with whom we interact on a regular basis-- recommending they be held accountable for compelling more of their residents and/or tenants to realize real energy reductions. EHC was the only party in this proceeding acting as a watchdog for SDG&E’s LGPs and one of the only parties besides the LGPs and SDG&E to attend the LGP PAGs. We also communicated and met with the Port of San Diego and SDG&E to discuss how the Port could make more</p>	<p>EHC Response (8/3/12), at 26-31; EHC Comments (9/14/12), at 5-6, 25-32; EHC Reply (9/21/12), at 10-11; EHC Comments (10/29/12), at 3, 5-6; EHC Reply (11/05/12), at 4-5</p> <p>Documented in Timesheets (Attachment 3)</p>	<p>Yes.</p>

<p>effective use of its LGP funds. Our constructive recommendations contributed to productive dialogue and recognition in the Decision of the need for further investigation and accountability.</p> <p>The Decision:</p> <ul style="list-style-type: none"> ✓ Acknowledges EHC's concerns merit further exploration: "EHC suggests that SDG&E be required to move their LGPs to be resource programs so that they will be encouraged to deliver more savings... We may wish to explore these ideas for 2015." ✓ Adds accountability for energy savings now: "we require SDG&E to provide reporting information on the number of installations of energy efficiency measures caused by LGP activity." This data will help inform what changes are necessary for the next cycle. 	<p><i>D.12-11-015</i> at 84</p> <p><i>D.12-11-015</i> at 84</p> <p><i>D.12-11-015</i> at 84</p>	
<p>6. (F) Enforceable Codes & Standards (C&S), and Implementation of Loading Order</p> <p>EHC lead and facilitated regional meetings and dialogue with local governments, SDG&E, and other stakeholders on implementing stronger codes, standards, and policies (including mandatory rating disclosure), especially for existing buildings, in order to meet the region's and the state's energy needs and GHG goals. EHC also suggested local governments might be compelled by their LGP contracts to implement C&S. This contributed to further constructive dialogue by statewide stakeholders in this proceeding, as well multiple productive aspects of the Decision.</p> <p>F1. EHC advocated for Implementing aggressive, enforceable and comprehensive (whole building) local and state EE policies, programs, and codes, and incentives only for going</p>	<p>EHC Response (8/3/12), at 26-28; EHC Comments (9/14/12), at 5-8, 20-21; 26-32</p> <p>EHC Comments (9/14/12), at 20-22, 32-33; EHC Reply (9/21/12), at 8-10</p>	<p>Yes.</p>

<p>beyond code.</p> <p>The Decision:</p> <ul style="list-style-type: none"> ✓ Acknowledges that EHC opposes providing incentives making equipment or buildings only to code. The Decision missed that EHC later clarified we “are open to the possibility of incentivizing early upgrades and early HVAC replacements in existing, older, inefficient buildings and systems.” The Decision ultimately supported piloting “to code” incentives in hotter climates. ✓ Urges utilities to incorporate a whole building approach to commercial programs, and make the MFEER program “more comprehensive to go beyond lighting.” ✓ Encourages more comprehensive residential upgrades by allowing subsidies for audits when at least 3 upgrade measures are used. <p>F2. EHC also advocated mandatory point-of-sale energy rating disclosure.</p> <p>Although the Decision does not address mandatory green building ratings, it moves towards expanding the use of ratings by approving incentives for green building ratings.</p>	<p><i>D.12-11-015</i> at 75</p> <p>EHC Reply (9/21/12), at 9-10</p> <p><i>D.12-11-015</i> at 75</p> <p><i>D.12-11-015</i> at 77</p> <p><i>D.12-11-015</i> at 73</p> <p><i>D.12-11-015</i>, Conclusion of Law 22, at 120; Order 14, at 134</p> <p>EHC Response (8/3/12), at 27-28; EHC Comments (9/14/12), at 26, 28-32; EHC Reply (9/21/12), at 8-9</p> <p><i>D.12-11-015</i>, at 28</p>	
<p>7. (G) General</p> <p>Overall Budgets: EHC advocated for the wise spending of ratepayer dollars, maximizing EE while minimizing superfluous spending without compromising programs that lead to energy savings or work towards market transformation.</p> <p>The Decision:</p> <ul style="list-style-type: none"> ✓ Finds a problematic rise in non-incentive costs of IOU EE budgets, and “require the utilities to minimize their non-incentive budgets as much as possible,” Finding a 20% target for 	<p>EHC Reply (8/13/12), at 3, 9-10; EHC Reply (9/21/12), at 12-13; EHC Comments (10/29/12), at 8-9, 11; EHC Reply (11/05/12), at 3-4</p> <p><i>D.12-11-015</i>, Finding of Fact 48, at 116; also at 98</p> <p><i>D.12-11-015</i>, at 101</p> <p><i>D.12-11-015</i>, Conclusion of Law 80, at 128</p>	<p>Yes.</p>

non-incentive costs appropriate. ✓ Finds the approved budgets will not result in a reduction in energy savings achieved and will be effectively and efficiently utilized.	<i>D.12-11-015</i> , Conclusion of Law 81, at 128	
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B. Duplication of Effort (§§ 1801.3(f) & 1802.5):

	Claimant	CPUC Verified
a. Was the Division of Ratepayer Advocates (DRA) a party to the proceeding?	Yes	Correct.
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Correct.
c. If so, provide name of other parties: <p>The positions of EHC regarding equity workforce opportunities and access to EE for lower-income communities most closely aligned with The Greenlining Institute/Green For All.</p> <p>EHC also had some overlapping positions as California Center for Sustainable Energy (CCSE), The Utility Reform Network (TURN), Women's Energy Matters (WEM), Brightline Defense Project, Global Green USA, and California Construction Industry Labor Management Trust, California Housing Partnership Corporation (CHPC), Natural Resources Defense Council (NRDC), and California Energy Efficiency Industry Council.</p>		Correct.
d. Claimant's description of how it coordinated with DRA and other parties to avoid duplication or how your participation supplemented, complemented, or contributed to that of another party: <p>EHC is a 32-year old non-profit public benefit environmental justice organization representing low-income communities of color in the urban cores of the San Diego region. We empower people and organize communities to improve the health of children, families, neighborhoods, and the natural environment. The cumulative impacts of environmental, social, political, and economic vulnerabilities that affect the quality of life in the communities we represent weave a common theme in our work.</p> <p>In this proceeding, EHC sought to work towards closing the green divide and ensure the San Diego region's most underrepresented neighborhoods see the benefits of the green economy through access to green jobs and green infrastructure, and are resilient against the impacts of climate change. EHC also advocated for the wise spending of ratepayer dollars through full implementation of the loading order, prioritizing cost-effective conservation and efficiency to avoid construction of new expensive, fossil-fuel plants that are damaging to the environment and public health. As a part of realizing this vision, EHC is fully committed to seeing a robust, sustainable, and viable transformation of the energy efficiency marketplace that benefits all California communities.</p> <p>While some parties in this proceeding held some overlapping positions with EHC, EHC was the only party representing these issues and lower-income residents specifically focused on SDG&E service-territory, with first-hand experience working with these communities, local governments, and other local stakeholders. EHC is located in National City and has been doing direct organizing, outreach, and education in lower-income communities in the San</p>		Claimant's participation was in addition to but not duplicative of the arguments and evidence presented by other parties.

Diego area for 32 years, including deep energy education and behavior change in recent years. EHC also works closely with local community-based workforce training organizations and community colleges, as well as local governmental and non-governmental organizations in the energy, energy policy, and energy efficiency and construction fields.

In addition, EHC was the only party in this proceeding acting as a watchdog for SDG&E's LGPs and one of the only parties besides the LGPs and SDG&E to attend the LGP PAGs. Our regular communication with the LGPs, along with additional communication and meeting with SDG&E, allowed EHC to offer a unique perspective and constructive recommendations on SDG&E's LGPs.

In several instances, we even disagreed with parties who at other times held similar interests. For example we disagreed with DRA and NRDC that IOUs should hold unequivocal authority over the EUC resign process (EHC Reply 8/13/12, at 5-6). We further disagreed with DRA over EE budgets and marketing funding (EHC Reply, 9/21/12, at 12). We also disagreed with TURN regarding the level of flexibility allowed to LGPs for passing C&S (EHC Reply, 9/21/12, at 10-11)

In the instances where we did overlap with other parties, we made an effort to avoid duplication as much as possible by coordinating with other parties such as Greenlining, WEM, CCSE, and TURN (as evidenced in attached timesheets) and leveraging our unique areas of expertise. When EHC agreed with certain recommendations and comments offered by other parties, EHC referenced them in its filings in order to emphasize especially important positions, recommendations, and comments, and strengthen them with additional facts and perspectives.

Several parties also referenced EHC comments in their own filings, including the California Construction Industry Labor Management Cooperation Trust (8/13/12, at 2; 11/5/12, at 2), the California Energy Efficiency Industry Council (9/21/12, at 2-6), CHPC (8/13/12, at 4; 11/5/12, at 4-5), Global Green (9/21/12, at 2, 5, 6), Greenlining (8/13/12, at 2-5; 9/21/12, at 2, 4-6,8; 11/5/12, at 4;), Opower (9/21/12, at 4), PG&E (9/21/12, at 9-11), SDG&E (9/21/12, at 18,25), Solar City (11/5/12, at 2), and TURN (9/21/12, at 2, 5-7, 9, 13; 11/5/12, at 2, 5). We respectfully suggest that this exchange of dialogue with other parties served to material supplement, complement, and contribute to the record, rather than duplicate rhetoric.

In summary, EHC was able to offer a distinct, first-hand perspective and insight into SDG&E's low-income, urban customer base, as well as its local government partnerships and local workforce entities, and contributed to the official record and exchange of information and ideas among parties, beyond traditional ratepayer advocacy organizations and social and environmental justice entities located outside of the San Diego region.

C. Additional Comments on Part II (use line reference # or letter as appropriate):

#	Claimant	CPUC	Comment
		X	Claimant's assertion of substantial contribution is accepted. Claimant's thorough description of issues and accurate references to Claimant's presentation in the record and in the D.12-11-015 provided strong support for the contribution made by Claimant and allowed for efficient review of Claimant's claim.

PART III: REASONABLENESS OF REQUESTED COMPENSATION**A. General Claim of Reasonableness (§§ 1801 & 1806):**

a. Claimant's explanation of how the cost of Claimant's participation bore a reasonable relationship with benefits realized through its participation.	CPUC Verified
<p>In this proceeding, EHC consistently advocated for solutions to ensure the San Diego region's most underrepresented communities— who lack the financial means to participate individually in this proceeding— benefit from the green economy through improved access to green jobs and green infrastructure, and are resilient against the impacts of climate change. EHC also advocated for the wise spending of ratepayer dollars through prioritizing all cost-effective conservation and efficiency to avoid construction of new expensive, fossil-fuel plants that are damaging to the environment and public health.</p> <p>In addition to the recommendations and information in EHC filings which directly contributed to the Decision, EHC's participation stimulated significant dialogue by other parties, as demonstrated in Part II(B)(d) of this document.</p> <p>As demonstrated in Part II(A) of this document, EHC contributed significantly to the resolution of a number of issues in D.12-11-015, which will ensure a larger number and broader range of ratepayers will have access to EE and conservation, which will produce more energy savings for the utilities and state while reducing emissions and enabling avoidance of new fossil fuel resources.</p> <p>For example, the Decision agrees with EHC's recommendations regarding MIDI (at 73) and ordered utilities to double the participation targets and budgets for MIDI and allow eligibility for those residing in multifamily buildings (Order 26, at 137). In SDG&E territory, that means an <i>additional</i> 1,000 middle-income households beyond SDG&E's proposal will have access to free EE upgrades, for a total of 2,000 homes over two years. Presuming that doubling the number of participants and budgets will result in doubling the energy savings, this will result in an <i>additional</i> 624 kW, 2,398,774 kWh, and 186,669 Therms savings beyond SDG&E's proposal. In addition, many of the participants are predicted to implement additional EE and conservation measures to save even more energy.</p> <p>For the EUC whole house program, the Decision recognized that EHC supported high participation targets and urged the utilities to meet or exceed the high participation scenarios (at 70-71) totaling no less than 16,770 homes over two years, including 3,250 homes in SDG&E territory.</p> <p>Regarding behavior change programs, the Decision affirms the value of EHC's recommendations and energy education model, encouraging the utilities to work with EHC to expand of the definition of behavioral programs as well as initiate additional program activities in this cycle (at 76-77). The Decision also reaffirms utilities should reach at least 5% of customers (Finding of Fact 35, at 115).</p> <p>With regards to Local Government Partnerships, EHC was the sole party contributing to the Decision's addition of a layer of accountability to SDG&E's LGPs for saving energy (at 84).</p> <p>The total economic, energy, and GHG savings benefits for the additional</p>	<p>Yes.</p>

<p>customers reached through MIDI, EUC, LGP, and behavior change programs, as well as the additional disadvantaged workers who will have better access to training and jobs as a result of Order 34 and Conclusion of Law 70— all in large part due to EHC’s advocacy— far outweigh the modest costs of EHC’s intervening in this proceeding.</p>	
<p>b. Reasonableness of Hours Claimed.</p> <p>Given the large scope of this proceeding and the significance of EHC’s contributions to the Decision, EHC’s hours are reasonable for the following reasons.</p> <p>EHC focused the vast majority of its time on issues that would most directly and most immediately benefit its constituency and result in significant energy and GHG savings and economic benefit. EHC also participated in longer-term market transformation related issues necessary to eventually expand the benefits of EE and green jobs to a larger amount of EHC’s constituents and to all Californians.</p> <p>With regards to dollars/hour claimed, EHC intentionally maximized efficiency by assigning the majority of workload hours-- including substantive research, drafting detailed comments, reviewing other parties’ comments, and communicating with other parties-- to Kayla Race, a comparably newer advocate with a lesser hourly rate than Nicole Capretz. Ms Capretz functioned as the managing expert, tapping into her 14+ year of experience as an environmental advocate to oversee the strategic direction of participation and coordination with other parties and stakeholders, as well as review and strategic revision of comments to ensure clarity of position, effectiveness of recommendations, and that the product submitted would be most useful to the Commission. In order to ensure both Ms. Capretz and Ms. Race were well acquainted with the issues of the proceeding, some minimal overlap necessarily occurred, such meeting together to discuss the proceeding and EHC comments and reviewing certain aspects of other parties’ filings, but these overlaps were minimized and avoided to the maximum extent possible.</p> <p>The rates requested by EHC are purposefully conservative and low on the approved range, in order to avoid unnecessarily high costs to ratepayers. EHC maintained detailed time records of hours worked on each issue in this proceeding (submitted in attachment). All hours represent substantive work related to this proceeding. We did not claim travel time to outside meetings, nor did we claim time to electronically file or physically mail comments. We did not claim time for other EHC staff consulted on this proceeding, including Diane Takvorian, Joy Williams, Franco Garcia, and Leticia Ayala. We also did not claim for ongoing timekeeping or maintenance related to intervenor compensation, which is time consuming.</p> <p>In summary, EHC made numerous and significant contributions to the Decision. While these contributions required research and analysis, EHC was efficient with its allocation of work, the hours claimed are reasonable and conservative, the hourly billing rates are conservative, and we made efforts to avoid duplication with other stakeholders. For these reasons, EHC respectfully submits that the Commission should find EHC’s hours and rates to be reasonable and award compensation for the full amount requested.</p>	<p>Yes.</p>

c. Allocation of Hours by Issue

	Kayla Race	Nicole Capretz
A. Equitable access to quality green education and jobs for low-income communities	20.3%	13.3%
B. Equitable access to benefits from EE upgrade programs for low-income communities	11.7%	14.8%
C. Successful and lasting energy conservation behavior	9.4%	11.6%
D. Effective and equitable marketing and outreach	15.9%	16.3%
E. Effective Local Govt partnerships	16.8%	18%
F. Effective Local Govt partnerships	12.8%	16%
G. General/ Multiple Issues	13%	9.9%

*See Attachment 3 (Timesheets) For Detailed Records of Time Worked by Ms. Capretz and Ms. Race on each issue.

B. Specific Claim:

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Nicole Capretz (Expert)	2012	40.5	\$220	See Comment #1 Below	8,910	40.5	\$220	8,910
Kayla Race (Advocate)	2012	162.7	\$130	See Comment #2 Below	21,151	162.7	\$130	21,151
	Subtotal:				\$30,061	Subtotal:		\$30,061
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Kayla Race	2013	16.5	\$65	Time spend on claim preparation is compensable at ½ of normal hourly rate.	1,072.5	16.5	\$65	1,072.5
Kayla Race	2012	4.5	\$65	Time spend on claim preparation is compensable at ½ of normal hourly rate.	292.5	4.5	\$65	292.5
Nicole Capretz	2013	1.5	\$110	Time spend on claim preparation is compensable at ½ of normal hourly rate.	165	1.5	\$110	165
Nicole Capretz	2012	1	\$110	Time spend on claim preparation is compensable at ½ of normal hourly rate.	110	1	\$110	110
	Subtotal:				\$1,0640	Subtotal:		\$1,640
TOTAL REQUEST:					\$31,701	TOTAL AWARD:		\$31,701
When entering items, type over bracketed text; add additional rows as necessary. *If hourly rate based on CPUC decision, provide decision number; otherwise, attach rationale. **Travel and Reasonable Claim preparation time typically compensated at ½ of preparer's normal hourly rate.								

C. Additional Comments on Part III:

Attachment or Comment #	Description/Comment
Comment #1	<p>Nicole Capretz, Associate Director, EHC; Director of EHC's Green Energy/Green Jobs Campaign: Nicole Capretz has over 14 years of professional experience representing public interests in the environmental arena, including 9 years of experience in the energy field, both in nonprofit and government agencies. Accepted into the State Bar of California in 1996 (but currently inactive), Ms. Capretz has been the Director of the Green Energy Green Jobs campaign at Environmental Health Coalition (EHC) for 4 years, and worked on renewable energy issues as a Senior Policy Advisor for an elected city official in the City of San Diego for 5 years. She worked for EHC for an additional 4 years representing environmental justice communities on water and coastal issues. Prior to that she for worked for 13 months as a law clerk and energy associate on various energy and environmental issues.</p> <p>Ms. Capretz has developed and advocated for local and state renewable energy legislation, been an expert witness in state policy hearings, spoken at a variety of energy conferences and hearings, and participated in state energy administrative proceedings, including but not limited to CPUC Energy Efficiency Proceedings (09-11-014 and 12-07-001 et.al.) and the Long-Term Procurement Plan Proceeding (11-05-023) as a member of the California Environmental Justice Alliance, and commenting on CEC IEPR and IEPR Updates.</p> <p>Resolution ALJ-281 (9/13/12) adopted Intervenor rates for 2012. The rate range for experts with 13+ years of experience is \$160-\$400. The range for experts with 8-12 years of experience is \$160-\$275. EHC submits that based on this approved range and a comparison of rates claimed by other intervenor representatives with similar experience, an hourly rate of \$220 is at the conservative end of the range and appropriate. EHC reserves the right to seek a different rate for Ms. Capretz's work in the future.</p>
Comment #2	<p>Kayla Race, Policy Advocate for EHC's Green Energy/Green Jobs Campaign: Kayla Race over 4 years of professional experience in the environmental arena, including the last 18 months as Policy Advocate for Environmental Health Coalition's Green Energy/Green Jobs Campaign, advocating for energy and green workforce related solutions to foster a green economy and benefit the environment, energy security, and health of the San Diego region. Ms. Race has participated in governmental advisory committees, provided verbal and written comment on energy and environmental policy at the local, regional and state level, including but not limited to CPUC Energy Efficiency Proceedings (09-11-014 and 12-07-001 et.al.), and commenting on the CEC IEPR Update, and energy legislation.</p> <p>Ms. Race also spent 20 months working for the Massachusetts House of Representatives as a Policy Research Analyst for the House Committee on Global Warming and Climate Change, where she worked to advance legislation on energy efficiency, clean energy, climate change, water, electronic waste, and transportation. She has also worked for an environmental remediation government contractor for 9 months and has conducted research on food's carbon footprint. She has a B.A. in Environmental Studies from Middlebury College.</p> <p>Resolution ALJ-281 (9/13/12) adopted Intervenor rates for 2012. The rate range for experts with up to six years of experience is \$130-\$190. EHC submits that based on this approved range and a comparison of rates claimed by other intervenor representatives with similar experience, an hourly rate of \$130 is conservative and appropriate. EHC divided this hourly rate in half for time spent preparing Intervenor forms. EHC reserves the right to seek a</p>

	different rate for Ms. Race's work in the future.
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D. CPUC Disallowances & Adjustments:

#	Reason
1	Nicole Capretz hourly rate: EHC requests an hourly rate for Nicole Capretz of \$220. This is the first hourly rate request for Ms. Capretz. Ms. Capretz has over 14 years of experience representing public interests in the environmental arena. Ms. Capretz was accepted into the California State Bar in 1996 and is currently on inactive status. The requested rate of \$220 is within in the lower half of the range for an expert with over 13 years of experience. We approve the requested rate as reasonable.
2	Kayla Race hourly rate: EHC requests an hourly rate for Kayla Race of \$130. This is the first hourly rate request for Ms. Race. Ms. Race is a policy advocate for EHC's Green Energy/Green Jobs Campaign. She has been in this position for 18 months. She has a total of 4 years of experience in the environmental arena. She has previously participated in energy and environmental policy proceedings in California. The requested rate of \$130 is the low end of the range for advocates with less than 6 years of experience. We approve the requested rate as reasonable.

PART IV: OPPOSITIONS AND COMMENTS**A. Opposition: Did any party oppose the Claim?**

No

B. Comment Period: Was the 30-day comment period waived (*see* Rule 14.6(2)(6))?

Yes

FINDINGS OF FACT

1. Environmental Health Coalition has made a substantial contribution to Decision (D.) 12-11-015.
2. The requested hourly rates for Environmental Health Coalition's representatives are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses are reasonable and commensurate with the work performed.
4. The total of reasonable contribution is \$31,701.

CONCLUSION OF LAW

1. The Claim satisfies all requirements of Public Utilities Code §§ 1801-1812.

ORDER

1. Environmental Health Coalition is awarded \$31,701.
2. Within 30 days of the effective date of this decision, San Diego Gas & Electric Company, Southern California Gas Company, Southern California Edison Company, and Pacific Gas and Electric Company shall pay Environmental Health Coalition (EHC) their respective shares of the award, based on their California-jurisdictional energy revenues for the 2012 calendar year, to reflect the year in which the proceeding was primarily litigated. Payment of the award shall include interest at the rate earned on prime, three-month commercial paper as reported in Federal Reserve Statistical Release H.15, beginning March 30, 2013, the 75th day after the filing of EHC's request, and continuing until full payment is made.
3. The comment period for today's decision is waived.
4. This decision is effective today.

Dated _____, at San Francisco, California.

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:		Modifies Decision? No
Contribution Decision(s):	D1211015	
Proceeding(s):	A1207001, A1207002, A1207003, A1207004	
Author:	ALJ Melanie Darling	
Payer(s):	Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Gas Company, and Southern California Edison Company	

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Environmental Health Coalition (EHC)	1/14/2013	\$31,701	\$31,701	None	None

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Nicole	Capretz	Expert	EHC	\$220	2012	\$220
Kayla	Race	Advocate	EHC	\$130	2012	\$130
Nicole	Capretz	Expert	EHC	\$220	2013	\$220
Kayla	Race	Advocate	EHC	\$130	2013	\$130

(END OF APPENDIX)